

E-filed 3/31/08

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6 Attorneys for Defendants
DEPUY, INC. and DEPUY SPINE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SPOTLIGHT SURGICAL, INC.

Case No. CV 07-03362 JF RS

Plaintiff,

vs.

DEPUY, INC. AND DEPUY SPINE, INC.,

**STIPULATION TO EXTEND THE DATE
FOR DEFENDANTS DEPUY, INC.'S AND
DEPUY SPINE, INC' S RESPONSE TO
COMPLAINT**

Defendants.

8 Plaintiff Spotlight Surgical, Inc. and Defendants DePuy, Inc. and DcPuy Spine, Inc. are
9 actively negotiating a settlement. Accordingly, the parties previously stipulated that Defendants
10 had an extension of time up to and including March 28, 2008 to answer or otherwise respond to
11 Plaintiff's Complaint for Injunctive Relief and Damages for (1) Federal Unfair Competition (15
12 U.S.C. § 1125(a)); (2) California Unfair Competition (B&P Code § 17200); (3) Common Law
13 Unfair Competition.

The parties have exchanged drafts of a settlement agreement hope to be able to finalize their settlement and dismiss this matter within the next thirty days. Thus, the parties, by and through their undersigned attorneys, hereby stipulate and agree that Defendant shall have an additional extension of thirty days (30) days to answer or otherwise respond to Plaintiff's Complaint, up to and including April 28, 2008.

This will be the eighth extension of time entered in this case. This stipulation is not entered into for any purposes of delay. Rather, the parties have a good faith belief that they will shortly settle this matter and, under such circumstances, do not wish to unnecessarily expend either the Court's or their time and resources on further litigation.

Dated: March 28, 2008

MORGAN, LEWIS & BOCKIUS LLP

By Diane J. Mason

Attorneys for Defendant DEPUY, INC. and
DEPUY SPINE, INC.

Dated: March 28, 2008

HELLER EHRLMAN LLP

By Harold J. Milstein / MEM
Harold J. Milstein

Attorneys For Plaintiff SPOTLIGHT
SURGICAL, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/31/08

The Honorable Jeremy Fogel
United States District Judge

**MORGAN, LEWIS &
BOCKIUS LLP**
ATTORNEYS AT LAW
SAN FRANCISCO

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